

## IC ON THE RECORD



"And finally, the intelligence community is creating a website that will serve as a hub for further transparency, and this will give Americans and the world the ability to learn more about what our intelligence community does and what it doesn't do, how it carries out its mission, and why it does so."

President Barack Obama during an [August 9, 2013 press conference](#) at the White House in which he forecast the launch of *IC ON THE RECORD*.

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### Reviewing Our Global Signals Intelligence Collection and Communications Technologies

#### Memorandum for the Director of National Intelligence

August 12, 2013

The United States, like all nations, gathers intelligence in order to protect its national interests and to defend itself, its citizens, and its partners and allies from threats to our security. The United States cooperates closely with many countries on intelligence matters and these intelligence relationships have helped to ensure our common security.

Recent years have brought unprecedented and rapid advancements in communications technologies, particularly with respect to global telecommunications. These technological advances have brought with them both great opportunities and significant risks for our Intelligence Community: opportunity in the form of enhanced technical capabilities that can more precisely and readily identify threats to our security, and risks in the form of insider and cyber threats.

I believe it is important to take stock of how these technological advances alter the environment in which we conduct our intelligence mission. To this end, by the authority vested in me as President by the Constitution and the laws of the United States of America, I am directing you to establish a Review Group on Intelligence and Communications Technologies (Review Group).

The Review Group will assess whether, in light of advancements in communications technologies, the United States employs its technical collection capabilities in a manner that optimally protects our national security and advances our foreign policy while appropriately accounting for other policy considerations, such as the risk of unauthorized disclosure and our need to maintain the public trust. Within 60 days of its establishment, the Review Group will brief their interim findings to me through the Director of National Intelligence (DNI), and the Review Group will provide a final report and recommendations to me through the DNI no later than December 15, 2013.

**49654 Federal Register / Vol. 78, No. 158**

**Thursday, August 15, 2013**

**Presidential Documents**

***You are hereby authorized and directed to publish this memorandum in the Federal Register.***

Via [The White House](#)

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## The job of protecting security and privacy

An OpEd from Intelligence Community Civil Liberties Protection Officer, Alexander Joel.

August 13, 2013

*"Many Americans probably don't know that there is a senior official whose job by law is to help ensure that civil liberties and privacy protections are built into intelligence programs. I am that official - the "Civil Liberties Protection Officer." I engage with the director of national intelligence and other intelligence officials to oversee and guide intelligence activities.*

*I lead a team of experts who coordinate not only with intelligence operators and analysts, but also with government lawyers, inspectors general, compliance officials and oversight boards, to help shape intelligence activities and oversee their implementation. As the intelligence agencies seek to protect the nation's security, they must also protect civil liberties and privacy..."*

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## DNI Clapper Announces Review Group on Intelligence and Communications Technologies

August 12, 2013

At the direction of the President, I am establishing the Director of National Intelligence Review Group on Intelligence and Communications Technologies to examine our global signals-intelligence collection and surveillance capability.

The Review Group will assess whether, in light of advancements in communications technologies, the United States employs its technical collection capabilities in a manner that optimally protects our national security and advances our foreign policy while appropriately accounting for other policy considerations, such as the risk of unauthorized disclosure and our need to maintain the public trust.

The Review Group will brief its interim findings to the President within 60 days of its establishment, and provide a final report with recommendations no later than Dec. 15, 2013.

James R. Clapper

Director of National Intelligence

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## White House Press Conference

August 10, 2013

President Obama announced the planned launch of *IC ON THE RECORD* during his Friday, August 10th press conference in the course of his remarks on national security transparency.

The embedded video above includes his full remarks. Jump to his comments about the launch of this website [by clicking here](#).

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## Background on the President's Statement on Reforms to NSA Programs

### White House Press Release

August 9, 2013

President Obama believes that there should be increased transparency and reforms in our intelligence programs in order to give the public confidence that these programs have strong oversight and clear protections against abuse. That is what he has pursued as President, and today he is announcing several initiatives that will move that effort forward.

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## Remarks by the President in a Press Conference

August 9, 2013

**THE PRESIDENT:** Good afternoon, everybody. Please have a seat.

Over the past few weeks, I've been talking about what I believe should be our number-one priority as a country — building a better bargain for the middle class and for Americans who want to work their way into the middle class. At the same time, I'm focused on my number-one responsibility as Commander-in-Chief, and that's keeping the American people safe. And in recent days, we've been reminded once again about the threats to our nation.

As I said at the National Defense University back in May, in meeting those threats we have to strike the right balance between protecting our security and preserving our freedoms. And as part of this rebalancing, I called for a review of our surveillance programs. Unfortunately, rather than an orderly and lawful process to debate these issues and come up with appropriate reforms, repeated leaks of classified information have initiated the debate in a very passionate, but not always fully informed way.

Now, keep in mind that as a senator, I expressed a healthy skepticism about these programs, and as President, I've taken steps to make sure they have strong oversight by all three branches of government and clear safeguards to prevent abuse and protect the rights of the American people. But given the history of abuse by governments, it's right to ask questions about surveillance — particularly as technology is reshaping every aspect of our lives.

I'm also mindful of how these issues are viewed overseas, because American leadership around the world depends upon the example of American democracy and American openness — because what makes us different from other countries is not simply our ability to secure our nation, it's the way we do it — with open debate and democratic process.

In other words, it's not enough for me, as President, to have confidence in these programs. The American people need to have confidence in them as well. And that's why, over the last few weeks, I've consulted members of Congress who come at this issue from many different perspectives. I've asked the Privacy and Civil Liberties Oversight Board to review where our counterterrorism efforts and our values come into tension, and I directed my national security team to be more transparent and to pursue reforms of our laws and practices.

And so, today, I'd like to discuss four specific steps — not all inclusive, but some specific steps that we're going to be taking very shortly to move the debate forward.

First, I will work with Congress to pursue appropriate reforms to Section 215 of the Patriot Act — the program that collects telephone records. As I've said, this program is an important tool in our effort to disrupt terrorist plots. And it does not allow the government to listen to any phone calls without a warrant. But given the scale of this program, I understand the concerns of those who would worry that it could be subject to abuse. So after having a dialogue with members of Congress and civil libertarians, I believe that there are steps we can take to give the American people additional confidence that there are additional safeguards against abuse.

For instance, we can take steps to put in place greater oversight, greater transparency, and constraints on the use of this authority. So I look forward to working with Congress to meet those objectives.

Second, I'll work with Congress to improve the public's confidence in the oversight conducted by the Foreign Intelligence Surveillance Court, known as the FISC. The FISC was created by Congress to provide judicial review of certain intelligence activities so that a federal judge must find that our actions are consistent with the Constitution. However, to build greater confidence, I think we should consider some additional changes to the FISC.

One of the concerns that people raise is that a judge reviewing a request from the government to conduct programmatic surveillance only hears one side of the story — may tilt it too far in favor of security, may not pay enough attention to liberty. And while I've got confidence in the court and I think they've done a fine job, I think we can provide greater assurances that the court is looking at these issues from both perspectives — security and privacy.

So, specifically, we can take steps to make sure civil liberties concerns have an independent voice in appropriate cases by ensuring that the government's position is challenged by an adversary.

Number three, we can, and must, be more transparent. So I've directed the intelligence community to make public as much information about these programs as possible. We've already declassified unprecedented information about the NSA, but we can go further. So at my direction, the Department of Justice will make public the legal rationale for the government's collection activities under Section 215 of the Patriot Act. The NSA is taking steps to put in place a full-time civil liberties and privacy officer, and released information that details its mission, authorities, and oversight. And finally, the intelligence community is creating a website that will serve as a hub for further transparency, and this will give Americans and the world the ability to learn more about what our intelligence community does and what it doesn't do, how it carries out its mission, and why it does so.

Fourth, we're forming a high-level group of outside experts to review our entire intelligence and communications technologies. We need new thinking for a new era. We now have to unravel terrorist plots by finding a needle in the haystack of global telecommunications. And meanwhile, technology has given governments — including our own — unprecedented capability to monitor communications.

So I am tasking this independent group to step back and review our capabilities — particularly our surveillance technologies. And they'll consider how we can maintain the trust of the people, how we can make sure that there absolutely is no abuse in terms of how these surveillance technologies are used, ask how surveillance impacts our foreign policy — particularly in an age when more and more information is becoming public. And they will provide an interim report in 60 days and a final report by the end of this year, so that we can move forward with a better understanding of how these programs impact our security, our privacy, and our foreign policy.

So all these steps are designed to ensure that the American people can trust that our efforts are in line with our interests and our values. And to others around the world, I want to make clear once again that America is not interested in spying on ordinary people. Our intelligence is focused, above all, on finding the information that's necessary to protect our people, and — in many cases — protect our allies.

It's true we have significant capabilities. What's also true is we show a restraint that many governments around the world don't even think to do, refuse to show — and that includes, by the way, some of America's most vocal critics. We shouldn't forget the difference between the ability of our government to collect information online under strict guidelines and for narrow purposes, and the willingness of some other governments to throw their own citizens in prison for what they say online.

And let me close with one additional thought. The men and women of our intelligence community work every single day to keep us safe because they love this country and believe in our values. They're patriots. And I believe that those who have lawfully raised their voices on behalf of privacy and civil liberties are also patriots who love our country and want it to live up to our highest ideals. So this is how we're going to resolve our differences in the United States — through vigorous public debate, guided by our Constitution, with reverence for our history as a nation of laws, and with respect for the facts.

Via [WhiteHouse.gov](#)

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## Factsheet: The National Security Agency - Missions, Authorities, Oversight and Partnerships

August 9, 2013

In his May 2013 address at the National Defense University, the President made clear that we, as a Government, need to review the surveillance authorities used by our law enforcement and intelligence community professionals so that we can collect information needed to keep us safe and ensure that we are undertaking the right kinds of privacy protections to prevent abuse.

In the wake of recent unauthorized disclosures about some of our key intelligence collection programs, President Obama has directed that as much information as possible be made public, while mindful of the need to protect sources, methods and national security.

Acting under that guidance, the Administration has provided enhanced transparency on, and engaged in robust public discussion about, key intelligence collection programs undertaken by the National Security Agency (NSA). This is important not only to foster the kind of debate the President has called for, but to correct inaccuracies that have appeared in the media and elsewhere.

This document is a step in that process, and is aimed at providing a mission, authorities, oversight and partnerships.

Continue reading at [NSA.gov](http://NSA.gov)

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## DNI Clapper Declassifies and Releases Telephone Metadata Collection Documents

July 31, 2013

In the interest of increased transparency, the Director of National Intelligence has authorized the declassification and public release of the attached documents pertaining to the collection of telephone metadata pursuant to Section 215 of the PATRIOT Act. DNI Clapper has determined that the release of these documents is in the public interest.

[Cover Letter and 2009 Report on the National Security Agency's Bulk Collection Program for USA PATRIOT Act Reauthorization](#)

[Cover Letters and 2011 Report on the National Security Agency's Bulk Collection Program for USA PATRIOT Act Reauthorization](#)

[Primary Order for Business Records Collection Under Section 215 of the USA PATRIOT Act](#)

For questions related to information contained in these documents, please contact the Public Affairs office at the Office of the Director of National Intelligence at (703) 275-3700.

Shawn Turner  
Director of Public Affairs  
Office of the Director of National Intelligence  
Washington, DC 20510

via [DNI.gov](http://DNI.gov) Dear Madam Chairman and Mr. Vice Chairman:

• Please find enclosed an updated document that describes the bulk collection programs conducted under Section 215 of the PATRIOT Act (the "business records" provision of the Foreign Intelligence Surveillance Act (FISA)) and Section 402 of FISA (the "pen/trap" provision). The Department and the Intelligence Community jointly prepared the enclosed

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FOREIGN INTELLIGENCE SURVEILLANCE COURT  
WASHINGTON, D. C.

IN RE APPLICATION OF THE FEDERAL  
BUREAU OF INVESTIGATION FOR AN  
ORDER REQUIRING THE PRODUCTION  
OF TANGIBLE THINGS FROM [REDACTED]

Docket Number: BR

13-80

Keith Alexander at the Blackhat conference

July 31st 2013

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## About

Created at the direction of the President of the United States, [IC ON THE RECORD](#) provides immediate, ongoing and direct access to factual information related to the lawful foreign surveillance activities carried out by the U.S. Intelligence Community.

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### IN THEIR OWN WORDS:

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